

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

**DANYAL SHAIKH,**  
*Plaintiff,*

v.

**TEXAS A&M UNIVERSITY  
COLLEGE OF MEDICINE and  
MICHAEL K. YOUNG.**  
*Defendants.*

§  
§  
§  
§  
§  
§  
§  
§  
§

**Civil Action No. 4:16-CV-00591**

**PLAINTIFF'S MOTION FOR  
EXTENSION OF TIME TO FILE REPLY TO  
DEFENDANT'S MOTION TO DISMISS**

**NOW COMES** Danyal Shaikh by and through his counsel of record, who files this *Plaintiff's Motion for Extension of Time to file Reply*, and in support thereof, respectfully shows the following:

1. Plaintiffs' *Reply* to Defendant's Motion to Dismiss is due on August 12, 2016.
2. Counsel for Plaintiff was in New York from July 29<sup>th</sup> - August 2<sup>nd</sup> for a wedding and family vacation.
3. Plaintiff's Counsel then was before this Court on August 3<sup>rd</sup> for oral arguments on 4:14-cv-868.
4. On August 5<sup>th</sup> Plaintiff's Counsel had a scheduling hearing in the Western District for case 6:16-cv-038.
5. On August 8<sup>th</sup>, 9<sup>th</sup> and 10<sup>th</sup> Counsel for Plaintiff participated in a three full-day mediation sessions for three separate special education cases in different districts.
6. During the second half of the day on August 11<sup>th</sup>, Counsel for Plaintiff will be sitting in as Magistrate for the Travis County Mental Health Court.

7. On August 16<sup>th</sup> Plaintiff's Counsel will be in McAllen in the Southern District for a status conference 7:15-cv-332.
8. On the 18<sup>th</sup> of August Plaintiff's Counsel has a *Response* due in the Northern District in case 3:16-cv-1228.
9. Plaintiff's Counsel will be in Houston in the Southern District on August 19<sup>th</sup> for an initial conference in case 4:16-cv-134.
10. On August 22<sup>nd</sup> Plaintiff's Counsel has a brief due in the Northern District for case 4:16-cv-57.
11. On August 24<sup>th</sup> Counsel for Plaintiff will be out all day for a mediation in a special education at Amarillo ISD.
12. Finally, Plaintiff's Counsel has a brief due in the 10<sup>th</sup> Circuit in case 16-6169 on August 29, 2016 and another brief due in the 8<sup>th</sup> Circuit in case 16-3067 on September 6, 2016.
13. Counsel for Plaintiff reasonably believes he cannot adequately finalize the full *Response* by the current due date, given his firm's staffing and scheduling concerns.
14. Plaintiff's Counsel has contacted Counsel for Defendant by email but they have not responded as of this writing and therefore are deemed OPPOSED to this Motion.
15. As such and in light of Counsel's schedule, Plaintiff requests an extension of time in which to file his Brief until August 26, 2016.
16. This Motion for Extension of Time is not made for purposes of delay but so that justice may be done.

Respectfully submitted,

/s/ Martin J. Cirkiel

Mr. Martin J. Cirkiel, Esq

[marty@cirkielaw.com](mailto:marty@cirkielaw.com) [Email].

Texas State Bar Number 00783829

Federal ID 21488

Cirkiel & Associates, P.C.

1901 E. Palm Valley Boulevard

Round Rock, Texas 78664

(512) 244-6658 [Telephone]

(512) 244-6014 [Facsimile]; and

Kenneth Carden, Esq., Local Counsel

Texas State Bar Number 03787300

[carden.ada.law@gmail.com](mailto:carden.ada.law@gmail.com) [Email]

CARDEN LAW OFFICE

1409 S. Lamar Street, Apt. 601

Dallas, Texas 75215

(214) 485-3535 [Telephone]

(214) 485-3500 [Facsimile]

**ATTORNEYS FOR PLAINTIFFS**

**CERTIFICATE OF CONFERENCE**

I hereby certify that on August 10, 2016, I contacted and emailed Mr. John Scully, Counsel for Defendant, who as of this writing has not responded. Therefore the foregoing Motion must be deemed as OPPOSED.

/s/ Martin J. Cirkiel  
Martin J. Cirkiel

**CERTIFICATE OF SERVICE**

I hereby certify that on the 11<sup>th</sup> day of August, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Mr. John Scully, Attorney  
Cooper & Scully, P.C.  
815 Walker St., Ste. 1040  
Houston, TX 77002  
(713) 236-6800 [Telephone]  
(713) 236-6880 [Facsimile]  
[john.scully@cooperscully.com](mailto:john.scully@cooperscully.com) [Email]  
ATTORNEYS FOR DEFENDANT

/s/ Martin J. Cirkiel  
Martin J. Cirkiel